



CITY OF MIAMI SPRINGS, FLORIDA

CITY CLERK'S SUMMARY OF COUNCIL ACTIONS

Regular Meeting of Monday, October 23, 2006 - 7:00 p.m. – Council Chambers

AGENDA ITEM NUMBER AND SUBJECT

- 1. Call to Order/Roll Call:** All present (Vice Mayor Youngs arrived at 7:23 p.m.)
- 2. Invocation/Salute to the Flag:** Councilman Garcia/The audience participated.
- 3. Awards & Presentations:**

3A) Presentation by Robert J. Shafer & Associates, Inc. Regarding Health Insurance Renewal with Humana

Robert J. Shafer informed Council of the Request for Proposals process that took place last year to select a health insurance company and the reasoning behind renewing with Humana this year because of the 9.8% increase that is considered reasonable according to the market trends.

4. Open Forum:

- | | | |
|------------------------|----------------|---|
| • Thank you | Roslyn Buckner | Thanked the Administration for fixing the swale in front of her home |
| • Identification Cards | Betty Du Bois | Asked if any consideration has been given to her request for the City to issue photo I.D. cards for seniors |
| • Shuttle Bus | Betty Du Bois | Asked about the status of the shuttle bus. The City Manager said that because of the many projects the Administration is working on, no progress has been made lately |

4. Open Forum: (Continued)

- | | | |
|----------------------------|-------------------|--|
| • Thank you | Betty Du Bois | Thanked Council for spending hours listening to everyone. She also thanked the people of Miami Springs for wanting to keep the City a beautiful residential area |
| • Request for Support | Hortensia Machado | Treasurer of the Miami Springs Senior High School Band Booster, introduced members of the organization. She asked the City to sponsor one of the buses for the trip in the amount of \$2,675.00. Item to be scheduled for discussion at the next meeting |
| • McMansions | Tim Hawks | Stated that the larger homes would bring in more tax revenue and that the City already has zoning regulations in place |
| • McMansions | Laura Pilgrim | Thanked Council for addressing this issue |
| • Speeding | Laura Pilgrim | Said that she had addressed this issue previously but that the situation is still bad and the speeding continues. She urged Council to address the issue before someone gets hurt |
| • Excessive Number of Cars | Laura Pilgrim | Has observed a number of homes with an excessive number of cars. She was concerned that some people may have converted single-family residences to multi-family dwellings |
| • E-mail Contact List | Maggie Amaya | Would like the City to establish an e-mail contact list for mailing Council agendas |

4. Open Forum: (Continued)

- Commemorative Brick Maggie Amaya Stated that her daughter attends the New World School of the Arts. The school is selling commemorative bricks for \$300. She asked Council to buy a brick to place in the gallery

- Moratorium Raymond Gallat Said he was granted a variance for an addition to his home and the moratorium is prohibiting him from submitting his plans for approval. Mayor Bain indicated that the moratorium would not prevent him from submitting his plans for review. The City Manager asked him to contact the City Planner for guidance

5. Approval of Council Minutes:

5A) 10/09/2006 – Regular Meeting

Approved as written.

Motion: Councilman Best

Second: Councilman Garcia

Vote: 5-0

6. Reports from Boards & Commissions:

6A) 09/12/2006 – Recreation Commission – Minutes

6B) 10/09/2006 – Board of Appeals – Minutes

6C) 10/13/2006 – Board of Parks and Parkways – Cancellation Notice

Agenda Items 6A through 6C were received for information without comment.

7. Public Hearings:

7A) PUBLIC HEARING ON RESOLUTION NO. 2006-3333 ADOPTED BY THE CITY COUNCIL AT THE SPECIAL MEETING OF OCTOBER 2, 2006:

Resolution – A Resolution of the City Council of the City of Miami Springs Instituting an Administrative Building Moratorium in Regard to the Construction of New Single Family Residences and Additions to Existing Single Family Residences in all the Single Family Residential Zoning Districts of the City; Prohibiting the Issuance of Building Permits; Establishing Moratorium Study; Directing the City Clerk to Schedule a Public Hearing on this Resolution; Requiring Public Hearing on Propriety of the Moratorium by City Council; Issuing Further Resolutions as may be Determined by City Council; Exception to Building Permit Prohibition; Term of Moratorium; Effective Date

The following residents appeared before Council:

Raul R. Sora	174 Lenape Drive
Jean Tucker	272 Reinette Drive
Carlos Gonzalez	448 Minola Drive
Helen Lawrence	641 Nightingale Avenue
Mario F. Cabrera	465 Minola Drive
Maggie Amaya	185 Flagler Drive
Paul Rawls	951 Oriole Avenue
Raymond Gallat	500 Mokena Drive
Imara Gallat	500 Mokena Drive
Nery Owens	332 Payne Drive

7A1) A Resolution of the City Council of the City of Miami Springs Continuing the Administrative Building Moratorium Instituted by City Resolution No. 2006-3333; Finding the Moratorium Reasonably Necessary and Continuing the Building Permit Prohibition; Directing the City Manager to Conduct a Study and Report to the City Council by January 23, 2007; Delineating Procedures to be Followed Upon Receipt of the City Manager's Report; Establishing Definitions, Standards and Criteria to be Utilized During Moratorium; Providing for the Continued Force and Effect of the City's Moratorium Resolutions; Retaining City Council Authority to Reverse, Modify, Supplement, Supersede or Terminate the Prior City Resolutions; Effective Date

(Council voted in favor of the second proposed Resolution under Item 7A2, which terminates the moratorium)

7A2) A Resolution of the City Council of the City of Miami Springs Terminating the Administrative Building Moratorium Instituted by the Adoption of City Resolution No. 2006-3333; Stating the City Council's Intent to Study and Investigate the "McMansion" Issues in the Normal Course of City Business; Effective Date

Adopted (Resolution No. 2006-3335)

Motion: Councilman Garcia

Second: Councilman Best

Vote: 5-0

Council **scheduled** a Workshop Meeting for Wednesday, November 1, 2006 at 7:30 p.m. to discuss the McMansions and new code regulations.

City Manager Borgmann stated for the record that Agenda Items 11A, 11B and 11C are now cancelled, and that the residents were free to leave.

8. Consent Agenda: (Agenda Items 8A through 8I simultaneously approved)

All items in the Consent Agenda were **approved**.

Motion: Councilman Best

Second: Councilman Dotson

Vice Mayor Youngs: "aye"

Councilman Best: "aye"

Councilman Dotson: "aye"

Councilman Garcia: "absent at roll call"

Mayor Bain: "aye"

Vote: 4-0

8A) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$26,000, as Provided in Section 31.11 (E) (6) (g) of the City Code, and Pursuant to the Contract Renewal Option for an Additional One-Year Period for the City-wide Street Cleaning, to SFM Services, Inc.

8B) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$92,000, as Provided in Section 31.11 (E) (6) (g) of the City Code, and Pursuant to the Contract Renewal Option for an Additional One-Year Period for City-wide Janitorial Services to FBG Service Corp.

8C) Recommendation that Council Approve an Expenditure of, not to Exceed \$35,000, to Atlantic Florida East Coast Fertilizer, Utilizing Miami-Dade County Bid # 7166-3/06-3, as Provided in Section 31.11 (E) (5) of the City Code, on an "As Needed Basis"

8D) Recommendation that Council Approve an Expenditure of, not to Exceed \$30,000, to Helena Chemicals, Utilizing Broward County Bid # 26-147X, as Provided in Section 31.11 (E) (5) of the City Code, on an “As Needed Basis”

8E) Recommendation that Council Approve an Expenditure of, not to Exceed \$70,000, to Lesco Products, Utilizing City of Delray Beach Bid # 2005-32, as Provided in Section 31.11 (E) (5) of the City Code, on an “As Needed Basis”

8F) Recommendation that Council Approve an Expenditure of, not to Exceed \$24,000, to Aeration Technologies, the Sole Source Supplier, as Provided in Section 31.11 (E) (6) (c) of the City Code, on an “As Needed Basis”, for Aerating the Golf Course

8G) Recommendation that Council Approve an Expenditure, not to Exceed \$15,000, to Florida Superior Sand, Utilizing Miami-Dade County Bid # ABCW0600520, as Provided in Section 31.11 (E) (5) of the City Code, on an “As Needed Basis”, for the Golf Course

8H) Recommendation that Council Approve an Expenditure of, not to Exceed \$30,000, to Hector Turf, the Sole Source Supplier (Exclusive South East dealer for Toro equipment), as Provided in Section 31.11 (E) (6) (c) of the City Code, on an “As Needed Basis”, for Golf Course Equipment

8I) Recommendation that Council Approve an Expenditure of, not to Exceed \$35,000, to Land & Sea, the Sole Source Supplier, as Provided in Section 31.11 (E) (6) (c) of the City Code, on an “As Needed Basis”, for Fuel for Golf Course Maintenance Equipment

9. Old Business:

9A) Appointment to the Ecology Board by Mayor Bain for a Full 3-Year Term Ending on April 30, 2009 (Joe Podgor’s seat)

Mayor Bain **deferred** his appointment.

9B) Appointment to the Ecology Board by Vice Mayor Youngs (Group IV) for an Unexpired Term Ending on April 30, 2007 Created by the Resignation of Donna Dawson

Vice Mayor Youngs **deferred** his appointment.

9C) Appointment of the Alternate Member of the Board of Adjustment by Councilman Dotson (Group II) for a 3-year Term Ending on October 31, 2009 (Bill Tallman's seat)

Councilman Dotson **appointed** Daniel Espino, who will resign from the Code Review Board to serve on the Board of Adjustment.

9D) Appointment to the Code Enforcement Board by Councilman Best (Group I) for a Full 3-year Term Ending on September 30, 2009 (Marlene B. Jimenez' seat)

Councilman Best **deferred** his appointment.

9E) Discussion Regarding Proposed Changes to "Hedge Ordinance" Following Council Workshop

Council **directed** the City Attorney to draft an ordinance incorporating the changes discussed preparing three different sections: 1 – Plantings, 2 – Fences and Walls, 3 – Fences and Walls Materials and Locations.

Agenda Item 10E was discussed after 9E

10. New Business:

10A) Report Regarding MDWASD Peak Flow Management Plan – VSC Peak Flow Data Input Requirements

Council **received** information regarding the Peak Flow Management Plan. The City Manager took the opportunity to inform Council of the negotiations with Miami-Dade County about the possible transfer of the Water and Sewer Systems and of his impending meeting with County officials this coming Wednesday to discuss the bond issue.

Council **directed** the City Manager to schedule an agenda item for the next meeting to report on status of the negotiations and transfer.

10B) Consideration of Virginia Gardens Water Rate Proposal

Council **directed** the Administration to continue with the same rate of \$1.22 per gallon.

Motion: Councilman Dotson

Second: Councilman Best

Vice Mayor Youngs: "aye"

Councilman Best: "aye"

Councilman Dotson: "aye"

Councilman Garcia: "aye"

Mayor Bain: "no"

Vote: 4-1

10B) Consideration of Virginia Gardens Water Rate Proposal (Continued)

The City Manager is to **report** to Council about his conversations with County officials regarding the effect that a possible change could bring.

10C) Recommendation that Council Approve an Expenditure of \$88,335, to Hector Turf, Utilizing Florida State Contract # 515-630-01, as Provided in Section 31.11 (E) (5) of the City Code,, for the Purchase of a Sprayer, Two Greensmaster Cutting Units, a Thatching Reel Kit, a Grinder, one Roller w/trailer and a Groundsmaster 7200

Approved.

Motion: Councilman Garcia

Second: Councilman Best

Vote: 5-0

10D) Recommendation that Council Approve an Expenditure of \$36,221, to Hector Turf, Utilizing Florida State Contract # 515-630-01, as Provided in Section 31.11 (E) (5) of the City Code, for the Purchase of Maintenance Equipment for City Parks

Approved.

Motion: Councilman Garcia

Second: Councilman Best

Vote: 5-0

Agenda Item 10E was discussed after 9E

10E) Approval of Waiver of Plat – Case No. 04-ZP-06 – Oscar Ortiz & Rosa Maria Diaz – 970 Pinecrest Drive – R-1B Single Family Residential (Case Heard by the Zoning and Planning Board on October 2, 2006)

Approved.

Motion: Councilman Dotson

Second: Vice Mayor Youngs

Vote: 5-0

10F) Appointment to the Architectural Review Board by Mayor Bain for a Full 2-year Term Ending on October 31, 2008 (Kathy Fleischman's seat)

Mayor Bain **deferred** his appointment.

10G) Appointment to the Architectural Review Board by Councilman Best (Group I) for a Full 2-year Term Ending on October 31, 2008 (Rafael Alpizar's seat)

Councilman Best **deferred** his appointment.

10H) Appointment to the Architectural Review Board by Councilman Dotson (Group II) for a Full 2-year Term Ending on October 31, 2008 (Chris Caudle's seat)

Councilman Dotson **deferred** his appointment.

10I) Appointment to the Architectural Review Board by Councilman Garcia (Group III) for a Full 2-year Term Ending on October 31, 2008 (Ramón Valdes-Denis's seat)

Councilman Garcia **re-appointed** Ramón Valdes-Denis.

10J) Appointment to the Architectural Review Board by Vice Mayor Youngs (Group IV) for a Full 2-year Term Ending on October 31, 2008 (Mark A. Trowbridge's seat)

Vice Mayor Youngs **re-appointed** Mark A. Trowbridge.

Council **directed** the City Manager to schedule an agenda item for the next meeting to discuss the scope of responsibilities of the Architectural Review Board.

Councilman Garcia moved to extend the meeting until 11:15 p.m. Councilman Best seconded the motion, which carried unanimously on voice vote.

10K) Resolution – A Resolution of the City Council of the City of Miami Springs Amending the Schedule of Charges and Fees for the Operation of the Miami Springs Golf and Country Club; Effective Date

Adopted (Resolution No. 2006-3336)

Motion: Vice Mayor Youngs

Second: Councilman Dotson

Vote: 5-0

10L) Resolution – A Resolution of the City Council of the City of Miami Springs Amending the Current Schedule of Charges for the Use of City Recreation Facilities and Related Services; Effective Date

Adopted (Resolution No. 2006-3337)

Motion: Councilman Garcia

Second: Councilman Best

Vote: 5-0

Councilman Best moved to extend the meeting until 11:30 p.m. Councilman Dotson seconded the motion, which carried unanimously on voice vote.

11. Other Business:

11A) Consideration of Proposed Addition Submitted After the Moratorium Imposed on October 2, 2006 by Resolution No. 2006-3333 – Marc Scavuzzo – 871 Lake Drive – Zoning: R-1B Single Family Residential, Lot Size: 100.46' x 76.97' x 207' x 133.55'

Not discussed since the moratorium was lifted under Agenda Item 7A2.

11B) Consideration of Proposed Addition Submitted After the Moratorium Imposed on October 2, 2006 by Resolution No. 2006-3333 – Fulgencio and Carmen Perez – 517 Albatross – R-1C Single Family Residential, Lot Size: 67' x 100'

Not discussed since the moratorium was lifted under Agenda Item 7A2.

11C) Consideration of Proposed Addition Submitted After the Moratorium Imposed on October 2, 2006 by Resolution No. 2006-3333 – Roy Campbell – 960 Hunting Lodge Drive– R-1A Single Family Residential, Lot Size: 150 x 210'

Not discussed since the moratorium was lifted under Agenda Item 7A2.

12. Reports & Recommendations:

12A) City Attorney:

No report.

12B) City Manager

- Fair Havens Noise Barrier

The City Manager reported that Fair Havens Center applied for a permit to extend the noise barrier around the air conditioner
- Sewer Flows

The City Manager said that the monthly sewer flow for September was 60% higher than August due to excessive rainfall
- Halloween Events

The City Manager distributed a schedule of Halloween events that will begin at the Country Club on Saturday, October 28, 2006 at 4:30 p.m.
- Curtiss Mansion Ground Breaking

The City Manager announced that the Curtiss Mansion Ground Breaking ceremony is scheduled for Thursday, October 26, 2006 at 4:00 p.m. at the Curtiss Mansion
- Recreation Director Interviews

The City Manager reported that interviews for the new Recreation Director would take place on Tuesday, October 24, 2006
- Emergency Generators

The City Manager stated that the emergency generators were delivered and ready for operation
- Starbucks Coffee

The City Manager reported that Starbucks Coffee presented their permits last week
- Basketball Registration

The City Manager announced that basketball registration is ongoing at the Recreation Center
- Founder's Day Golf Tournament

The City Manager reported that the Founder's Day Golf Tournament is scheduled for Saturday, November 11, 2006 and anyone interested in participating should contact Golf Director Mike Aldridge

12B) City Manager (Continued)

- Golf Course Ad

The City Manager distributed a copy of an advertisement promoting the new carts and greens. He pointed out that October 23rd is the ninth anniversary of the City's ownership of the Golf Course

12C) City Council

Councilman Garcia:

- Halloween Events

Commented that the date of the Halloween activities is not listed on the schedule of events

- 80th Anniversary

Inquired about the plans for the City's 80th Anniversary celebration. The City Manager explained that the plan was to combine the anniversary celebration with the grand opening of the greens, which was delayed and that the anniversary has now passed

- Scoops Ice Cream Shop

Announced that the Scoops Ice Cream shop is now open

- Congratulations

Congratulated Code Enforcement Board member Jacqueline Martinez-Regueira on the birth of her baby boy

- Traffic Calming

Requested that traffic calming measures be considered for East Drive because the Police Department cannot be present at all times to enforce speeding by Stafford Park

- Ludlam Bike Path Lighting

Reported that the lights on the Ludlam Bike Path are now installed and operational

- Happy Halloween

Wished everyone a Happy Halloween

Councilman Garcia moved to extend the meeting until 11:45 p.m. Councilman Best seconded the motion, which carried 4-1 on voice vote with Mayor Bain casting the dissenting vote.

12C) City Council (Continued)

Vice Mayor Youngs:

- Attendance Boundary Committee (ABC) Reported that the School Board has restructured the boundary change process and instead of 3-5 changes per year, they have asked the ABC to create 22 boundary changes over the next two years. There will be more schools opening and Miami Springs will be involved because the WWW School is included. The feeder patterns are being re-evaluated. He will keep Council informed

Councilman Best:

- Pelican Playhouse Stated that the Pelican Playhouse production of Midsummer Night's Dream was well attended
- Legislative Council Announced that he attended the Florida League of Cities Legislative Council event last Friday in Orlando. They are putting forth language to the subcommittee in Tallahassee and he has learned a lot about Home Rule Charter

Councilman Dotson:

- Financial Report Requested a copy of the fourth quarter financial report
- Salary Increases Asked the City Manager to keep him informed of any pay increases that he approves for his subordinates.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 11:37 p.m.